

119TH CONGRESS
2D SESSION

H. R. 7227

To amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group health plans and health insurance issuers offering group or individual health insurance that provide coverage for mental health services and substance use disorder services provide such services without the imposition of cost-sharing from the diagnosis of pregnancy through the 1-year period following such pregnancy, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 2026

Ms. MOORE of Wisconsin (for herself, Mrs. DINGELL, Mrs. MCBATH, Ms. STANSBURY, Mr. TORRES of New York, Mrs. WATSON COLEMAN, Ms. DELBENE, Ms. SEWELL, Mr. HORSFORD, Ms. DEAN of Pennsylvania, Ms. TLAIB, Mr. COHEN, Ms. LEE of Pennsylvania, Mr. GOTTHEIMER, Mr. JOHNSON of Georgia, Ms. TITUS, Mr. THANEDAR, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Education and Workforce, Ways and Means, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group health plans and health insurance issuers offering group or individual health insurance that provide coverage for mental health services and substance use disorder services provide such services without the imposition of cost-sharing from the

diagnosis of pregnancy through the 1-year period following such pregnancy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Mental Health and
5 Making Access More Affordable Act of 2026” or the
6 “Mental Health and MAMA Act of 2026”.

7 **SEC. 2. COST SHARING WITH RESPECT TO MENTAL HEALTH**
8 **SERVICES AND SUBSTANCE USE DISORDER**
9 **SERVICES FOR PREGNANT AND POSTPARTUM**
10 **INDIVIDUALS.**

11 (a) PHSA.—

12 (1) IN GENERAL.—Part D of title XXVII of the
13 Public Health Service Act (42 U.S.C. 300gg–111 et
14 seq.) is amended by adding at the end the following
15 new section:

16 **“SEC. 2799A–11. COST SHARING REQUIREMENTS WITH RE-**
17 **SPECT TO MENTAL HEALTH SERVICES AND**
18 **SUBSTANCE USE DISORDER SERVICES FOR**
19 **PREGNANT AND POSTPARTUM INDIVIDUALS.**

20 “(a) IN GENERAL.—In the case of a group health
21 plan or a health insurance issuer offering group or indi-
22 vidual health insurance coverage that provides a benefit
23 for mental health services or substance use disorder serv-
24 ices (including such services which are telehealth services

1 and are provided under such plan or coverage) with re-
2 spect to plan years beginning on or after the date that
3 is 2 years after the date of enactment of this section, the
4 plan or coverage shall not impose any cost sharing require-
5 ment for such services that are furnished by an in-network
6 provider to a participant, beneficiary, or enrollee under the
7 plan or coverage from the diagnosis of pregnancy (as de-
8 fined by the Secretary) through the 1-year period begin-
9 ning on the day after the last day of such pregnancy of
10 such participant, beneficiary, or enrollee (or, in the case
11 of an individual enrolled in such plan or coverage for a
12 portion of such period, during such portion).

13 “(b) DEFINITIONS.—In this section:

14 “(1) The terms ‘mental health services’ and
15 ‘substance use disorder services’ have the meaning
16 given such terms for purposes of section 2726.

17 “(2) The term ‘telehealth service’ means a serv-
18 ice that is furnished through telehealth technologies
19 (as defined in section 330I(a)).”.

20 (2) CONTINUITY OF CARE.—Section 2799A–3
21 of the Public Health Service Act (42 U.S.C. 300gg–
22 113) is amended—

23 (A) in subsection (a)(2)(C), by inserting “,
24 in the case of a continuing care patient de-
25 scribed in subsection (b)(1)(D)(ii), the date on

1 which such individual is no longer such a con-
2 tinuing care patient with respect to such pro-
3 vider or facility, or in the case of a continuing
4 care patient described in subsection (b)(1) other
5 than in subparagraph (D)(ii) of such sub-
6 section,” after “is provided and ending on”;
7 and

8 (B) by amending subsection (b)(1)(D) to
9 read as follows:

10 “(D)(i) is pregnant and undergoing a
11 course of treatment for the pregnancy from the
12 provider or facility; or

13 “(ii)(I) requires mental health services
14 or substance use disorder services from a
15 provider or facility following a pregnancy;

16 “(II) received a course of treat-
17 ment from such provider or facility
18 while pregnant; and

19 “(III) the last day of such preg-
20 nancy occurred during the previous 1-
21 year period; or”.

22 (b) ERISA.—

23 (1) IN GENERAL.—Subpart B of part 7 of sub-
24 title B of title I of the Employee Retirement Income
25 Security Act of 1974 (29 U.S.C. 1185 et seq.) is

1 amended by adding at the end the following new sec-
2 tion:

3 **“SEC. 726. COST SHARING REQUIREMENTS WITH RESPECT**
4 **TO MENTAL HEALTH SERVICES AND SUB-**
5 **STANCE USE DISORDER SERVICES FOR PREG-**
6 **NANT AND POSTPARTUM INDIVIDUALS.**

7 “(a) IN GENERAL.—In the case of a group health
8 plan or a health insurance issuer offering group health in-
9 surance coverage that provides a benefit for mental health
10 services or substance use disorder services (including such
11 services which are telehealth services and are provided
12 under such plan or coverage) with respect to plan years
13 beginning on or after the date that is 2 years after the
14 date of enactment of this section, the plan or coverage
15 shall not impose any cost sharing requirement for such
16 services that are furnished by an in-network provider to
17 a participant or beneficiary under the plan or coverage
18 from the diagnosis of pregnancy (as defined by the Sec-
19 retary) through the 1-year period beginning on the day
20 after the last day of such pregnancy of such participant
21 or beneficiary (or, in the case of an individual enrolled in
22 such plan or coverage for a portion of such period, during
23 such portion).

24 “(b) DEFINITIONS.—In this section:

1 “(1) The terms ‘mental health services’ and
2 ‘substance use disorder services’ have the meaning
3 given such terms for purposes of section 712.

4 “(2) The term ‘telehealth service’ means a serv-
5 ice that is furnished through telehealth technologies
6 (as defined in section 330I(a) of the Public Health
7 Service Act).”.

8 (2) CONTINUITY OF CARE.—Section 718 of the
9 Employee Retirement Income Security Act of 1974
10 (29 U.S.C. 1185g) is amended—

11 (A) in subsection (a)(2)(C), by inserting “,
12 in the case of a continuing care patient de-
13 scribed in subsection (b)(1)(D)(ii), the date on
14 which such individual is no longer such a con-
15 tinuing care patient with respect to such pro-
16 vider or facility, or in the case of a continuing
17 care patient described in subsection (b)(1) other
18 than in subparagraph (D)(ii) of such sub-
19 section,” after “is provided and ending on”;
20 and

21 (B) by amending subsection (b)(1)(D) to
22 read as follows:

23 “(D)(i) is pregnant and undergoing a
24 course of treatment for the pregnancy from the
25 provider or facility; or

1 “(ii)(I) requires mental health services
2 or substance use disorder services from a
3 provider or facility following a pregnancy;

4 “(II) received a course of treat-
5 ment from such provider or facility
6 while pregnant; and

7 “(III) the last day of such preg-
8 nancy occurred during the previous 1-
9 year period; or”.

10 (3) CLERICAL AMENDMENT.—The table of con-
11 tents in section 1 of the Employee Retirement In-
12 come Security Act of 1974 (29 U.S.C. 1001 et seq.)
13 is amended by inserting after the item relating to
14 section 725 the following new item:

“Sec. 726. Cost sharing requirements with respect to mental health services
and substance use disorder services for pregnant and
postpartum individuals.”.

15 (c) IRC.—

16 (1) IN GENERAL.—Subchapter B of chapter
17 100 of the Internal Revenue Code of 1986 is amend-
18 ed by adding at the end the following new section:

19 **“SEC. 9826. COST SHARING REQUIREMENTS WITH RESPECT**
20 **TO MENTAL HEALTH SERVICES AND SUB-**
21 **STANCE USE DISORDER SERVICES FOR PREG-**
22 **NANT AND POSTPARTUM INDIVIDUALS.**

23 “(a) IN GENERAL.—In the case of a group health
24 plan that provides a benefit for mental health services or

1 substance use disorder services (including such services
2 which are telehealth services and are provided under such
3 plan) with respect to plan years beginning on or after the
4 date that is 2 years after the date of enactment of this
5 section, the plan shall not impose any cost sharing require-
6 ment for such services that are furnished by an in-network
7 provider to a participant or beneficiary under the plan
8 from the diagnosis of pregnancy (as defined by the Sec-
9 retary) through the 1-year period beginning on the day
10 after the last day of such pregnancy of such participant
11 or beneficiary (or, in the case of an individual enrolled in
12 such plan for a portion of such period, during such por-
13 tion).

14 “(b) DEFINITIONS.—In this section:

15 “(1) The terms ‘mental health services’ and
16 ‘substance use disorder services’ have the meaning
17 given such terms for purposes of section 9812.

18 “(2) The term ‘telehealth service’ means a serv-
19 ice that is furnished through telehealth technologies
20 (as defined in section 330I(a) of the Public Health
21 Service Act).”.

22 (2) CONTINUITY OF CARE.—Section 9818 of
23 the Internal Revenue Code of 1986 is amended—

24 (A) in subsection (a)(2)(C), by inserting “,
25 in the case of a continuing care patient de-

1 scribed in subsection (b)(1)(D)(ii), the date on
2 which such individual is no longer such a con-
3 tinuing care patient with respect to such pro-
4 vider or facility, or in the case of a continuing
5 care patient described in subsection (b)(1) other
6 than in subparagraph (D)(ii) of such sub-
7 section,” after “is provided and ending on”;
8 and

9 (B) by amending subsection (b)(1)(D) to
10 read as follows:

11 “(D)(i) is pregnant and undergoing a
12 course of treatment for the pregnancy from the
13 provider or facility; or

14 “(ii)(I) requires mental health services
15 or substance use disorder services from a
16 provider or facility following a pregnancy;

17 “(II) received a course of treat-
18 ment from such provider or facility
19 while pregnant; and

20 “(III) the last day of such preg-
21 nancy occurred during the previous 1-
22 year period; or”.

23 (3) CLERICAL AMENDMENT.—The table of sec-
24 tions for subchapter B of chapter 100 of the Inter-

1 nal Revenue Code of 1986 is amended by adding at
2 the end the following new item:

“Sec. 9826. Cost sharing requirements with respect to mental health services
and substance use disorder services for pregnant and
postpartum individuals.”.

3 (d) FEHBP.—

4 (1) IN GENERAL.—Section 8902(p) of title 5,
5 United States Code, is amended—

6 (A) by striking “and 2799A-7” and insert-
7 ing “2799A-7, and 2799A-11”;

8 (B) by striking “and 722” and inserting
9 “722, and 726”; and

10 (C) by striking “and 9822” and inserting
11 “9822, and 9826”.

12 (2) EFFECTIVE DATE.—The amendments made
13 by paragraph (1) shall apply with respect to con-
14 tracts entered into or renewed for contract years be-
15 ginning on or after the date that is 2 years after the
16 date of enactment of this section.

○